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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Deiter C. Gruenert et al.
Serial No.: 09/392,682
Filed: September 9, 1999
Title: GENE THERAPY BY SMALL FRAGMENT HOMOLOGOUS REPLACEMENT

Examiner: Bronwen M. Loeb
Group Art Unit: 1636
Docket: G&C 30448.97-US-D

OCT 07 2002

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CERTIFICATE OF MAILING UNDER 37 CFR 1.10

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I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

By *Isabell Ogata*
Name: Isabell Ogata

CONTINUED PROSECUTION APPLICATION (CPA) UNDER 37 C.F.R. §1.53(d)

Box CPA
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is a request for a continuation application under 37 CFR § 1.53(d) (Continued Prosecution Application (CPA)) of prior patent application Serial No. 09/392,682, filed on September 9, 1999, and entitled GENE THERAPY BY SMALL FRAGMENT HOMOLOGOUS REPLACEMENT.

The above-identified prior patent application, in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, and which has a filing date on or after June 8, 1995, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

- The fee has been calculated as shown below in the "Claims as Filed" table.

CLAIMS AS FILED

Number of Claims Filed	In Excess of:	Number Extra	Rate	Fee
Basic Filing Fee				\$370.00
Total Claims				
28	20	8	x \$9.00 =	\$72.00
Independent Claims				
2	3	0	x \$42.00 =	\$0.00
MULTIPLE DEPENDENT CLAIM FEE				\$0.00
TOTAL FILING FEE				\$442.00

370.00 0P
72.00 0P

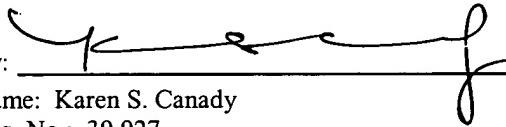
- A Petition for Extension of Time under 37 C.F.R. 1.136 has been filed to extend the term in the prior patent application for 4 months. A copy of the petition for extension of time filed in the prior patent application is enclosed.
- PTO-2038 Credit Card Payment Form in the amount of \$442.00 to cover the Total Filing Fee.

- Address all future communications to the Attention of Karen S. Canady at Gates & Cooper LLP, Howard Hughes Center, 6701 Center Drive West, Suite 1050, Los Angeles, California 90045, Telephone: (310) 641-8797.
- A return postcard is enclosed.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

Please charge any requisite additional fees or credit any overpayment to Deposit Account No. 50-0494 of Gates & Cooper LLP. A duplicate of this paper is enclosed.

Customer Number 22462
GATES & COOPER LLP
Howard Hughes Center
6701 Center Drive West, Suite 1050
Los Angeles, CA 90045
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By: 
Name: Karen S. Canady
Reg. No.: 39,927
KSC/io